

*City of Las Vegas*

**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: OCTOBER 8, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SUP-35734 - APPLICANT: JEWELRY MANUFACTURER'S EXCHANGE, INC. - OWNER: DURANGO COMMONS LTD., LLC**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION:**      **APPROVAL**, subject to:

**Planning and Development**

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Jewelry Store Class, III use.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**SUP-35734 - Staff Report Page One**  
**October 8, 2009 - Planning Commission Meeting**

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This application is a request for a Special Use Permit to add a Jewelry Store, Class III use within an existing jewelry store at 8550 West Charleston Boulevard, Suite #108. The use will allow the option to buy used jewelry for the purpose of refurbishing in addition to selling new jewelry. Staff recommends approval of this request as the proposed use meets all minimum Special Use Permit requirements, and can be conducted in a manner that is compatible with the surrounding uses. If denied, the existing jewelry store would remain as it is.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc. and Property Sales</i></b>	
12/17/80	The subject site was Annexed (A-0018-80) into the City of Las Vegas as part of a larger request.
05/20/81	The City Council approved a request for a Rezoning (Z-0034-81) of approximately 2,249.23 acres of land From: N-U (Non-Urban) To: R-1, R-2, R-3, R-MHP, R-PD7, R-PD8, P-R, C-1, C-2, and C-V on property generally located north of Sahara Avenue, south of Westcliff Drive, west of Durango Drive, and east of Hualapai Way. The Planning Commission recommended approval.
09/25/97	The City Council approved a request for an Extension Of Time for a Special Use Permit [U-10096(1)] on property located on the northeast corner of Charleston Boulevard and Durango Drive which allowed Packaged Liquor Sales in conjunction with an approved Drugstore, U (Undeveloped) zone (SC (Service Commercial) General Plan designation under Resolution of Intent to C-1(Limited Commercial). The Planning Commission recommended approval.
10/08/98	The City Council approved a request for a Special Use Permit (U-0110-98) on property located north of Charleston Blvd and east of Durango Drive to increase the height of an existing wireless communication tower from 40 feet to 70 feet.
03/16/05	The Planning and Development Department approved a minor Site Development Review (SDR-1983) for proposed additional wireless antenna arrays on the existing wireless communication tower at 8550 West Charleston Boulevard.
09/27/07	The Planning and Development Department approved a minor Site Development Review (SDR-23997) was administratively approved for a proposed collocation of antennas on an existing 74-foot tall wireless communications facility, non-stealth at 1002 South Durango Drive.

**SUP-35734 - Staff Report Page Two**  
**October 8, 2009 - Planning Commission Meeting**

10/11/07	The Planning and Development Department approved Site Development Review (SDR-24659) was administratively approved for a proposed collocation of antennas on an existing 45-foot tall wireless communications facility, non-stealth at 1002 South Durango Drive.
<b><i>Related Building Permits/Business Licenses</i></b>	
08/03/89	A business license (A07-01103) was issued for a apartment house at 8530 West Sahara Avenue. The license is still active.
02/15/96	A business license (A45-00003) was issued for an automobile detailing at 8560 West Sahara Avenue. The license was marked out of business on 10/16/07.
09/23/99	A business license (B20-00130) was issued business support service at 8530 West Sahara Avenue. The license is still active.
05/07/01	A business license (G02-00559) was issued for an garage minor auto at 8560 West Sahara Avenue. The license was marked out of business on 10/16/07.
08/04/05	A business license (G02-00714) was issued garage minor auto at 8550 West Sahara Avenue. The license is still active.
12/07/07	A business license (A45-00454) was issued automobile detailing at 8560 West Sahara Avenue. The license is still active.
<b><i>Pre-Application Meeting</i></b>	
08/12/09	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Secondhand Dealer were discussed. The topics included: <ul style="list-style-type: none"> <li>The submittal of application materials, meeting dates, and deadlines were discussed at the pre-application meeting.</li> </ul>
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required, nor was one held.	
<b><i>Field Check</i></b>	
09/03/09	A Field check was made by staff with the following observations: <ul style="list-style-type: none"> <li>There is an operating jewelry store at this location.</li> <li>There is adequate parking provided at this large commercial shopping center.</li> </ul>

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	1.67

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

**SUP-35734 - Staff Report Page Three**  
**October 8, 2009 - Planning Commission Meeting**

East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>		X	Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>		X	Y
<b>Trails</b>	X		Y
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

## DEVELOPMENT STANDARDS

*Pursuant to Title 19.10, the following parking standards apply:*

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Existing Commercial Center	17,000 SF		74	3	74	3	Y*
SubTotal			77		77		
TOTAL (including handicap)			77		77		

\*The proposed use has no additional parking requirement beyond the principle use.

## ANALYSIS

This is a request for a Special Use Permit for a Jewelry Store, Class III use within an existing jewelry store at 8550 West Charleston Boulevard, Suite #108. A Jewelry Store, Class III use is defined by Title 19.20.020 as a “store which buys and sells scrap precious metals for marketing as a commodity in bar form or in other than jewelry form, or which buys and sells precious metal bars and coins that are sold as a commodity rather than for numismatic purposes. This may include operations similar to a new jewelry store”. The proposed use is within the guideline of the permissible use definition. The applicant will buy used jewelry as a way to acquire various precious metals for refurbishing.

**SUP-35734 - Staff Report Page Four**  
**October 8, 2009 - Planning Commission Meeting**

A Pedestrian Path, as classified by the 2020 Las Vegas Master Plan Trails Element, has been dedicated and constructed along the north side of Charleston Boulevard. This Special Use Permit request will not have an adverse impact on the established Pedestrian Trail.

As the proposed use is located within an established Jewelry Store, and the new use does not present any significant impact to the surrounding uses, staff recommends approval.

## **FINDINGS**

The following findings must be made for a Special Use Permit:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed Jewelry Store Class III use will be harmonious and compatible with the uses in the existing shopping center and with the commercial uses on adjacent properties.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The subject site is physically suitable for the proposed use. On-site parking and circulation are adequate to serve the needs of the use.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

Site access is provided from Charleston Boulevard and South Durango Drive, both 100-foot Primary Arterials as designated in the Master Plan of Streets and Highways. These streets provide adequate access to and from the subject property.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

Approval of the proposed Special Use Permit will not compromise the public health, safety and general welfare, as the use will be subject to regular inspections for business licensing.

5. **The use meets all of the applicable conditions per Title 19.04.**

The proposed store complies with the Minimum Special Use Permit requirements for the use. There are no distance separation requirements for a Jewelry Store Class III use.

**SUP-35734 - Staff Report Page Five**  
**October 8, 2009 - Planning Commission Meeting**

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

14

**ASSEMBLY DISTRICT**      3

**SENATE DISTRICT**      8

**NOTICES MAILED**      761

**APPROVALS**      0

**PROTESTS**      1